

3743

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Case No.: EMELT-001US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Stephen Foster et al	)	
		)	Confirmation No.: 8885
		)	
Serial No.:	10/505,466	)	Group No.: 3743
		)	
Filing Date:	3/14/2005	)	Examiner: Mitchell, Teena Kay
		)	
Title:	BREATHING DEVICE	)	
		)	

**AMENDMENT**

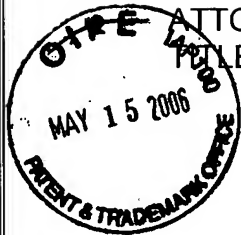
Commissioner for Patents  
Post Office Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir/Madam:

Responsive to the Office Action of April 6, 2006, the period for response extending until July 6, 2006, allowance of the claims of the present application is respectfully requested and is now believed to be appropriate in view of the following amendments and remarks:

***Amendments to the Claims*** begin on Page 2 of this paper; and

***Remarks*** begin on Page 5 of this paper.



ATTORNEY DOCKET NO: EMELT-001US  
TITLE: BREATHING DEVICE

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Bethany A. Miles

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/505,466
Filing Date	3/14/05
First Named Inventor	Stephen Foster et al
Art Unit	3743
Examiner Name	Teena Kay Mitchell
Attorney Docket Number	EMELT-001US

**ENCLOSURES (Check all that apply)**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify<br>below): |
|---|--|--|

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	STETINA BRUNDA GARBED & BRUCKER		
Signature			
Printed name	Kit M. Stetina		
Date	5/11/06	Reg. No.	29,445

**CERTIFICATE OF TRANSMISSION/MAILING**

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Signature			
Typed or printed name	Bethany Miles	Date	5/11/06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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